

RESOLUTION NO. R2014-007

A RESOLUTION of the City Council of the City of Tumwater, Washington establishing a date, time and place for the holding of a public hearing for the purpose of considering the vacation of a portion of the unopened City right-of-way lying east of Capitol Boulevard, south of Linwood Avenue, and within the boundary of real property described as Thurston County Tax Parcel No. 33870000200 in the City of Tumwater.

WHEREAS, the subject right-of-way was created in 1980 in the B.W. Johns First Addition to Tumwater as recorded in Volume 6 of Plats at Page 21; and

WHEREAS, a petition has been filed with the City of Tumwater requesting the vacation of the remnant portions of right-of-way within Thurston County Tax Parcel No. 33870000200; and

WHEREAS, said petition has been signed by owners representing more than two-thirds of the property sought to be vacated.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUMWATER AS FOLLOWS:

Section 1. The City Council hereby establishes a public hearing date of April 1, 2014, at or about 7:00 P.M., as the date and time upon which the public hearing will be held for the purpose of considering the vacation of the following described right-of-way:

As described in Exhibit "A" and depicted in Exhibit "B" attached hereto.

The hearing shall be held in the City Council Chambers, 555 Israel Road SW, Tumwater, Washington. Said hearing date is not more than sixty (60) nor less than twenty (20) days after the passage of this Resolution.

Section 2. Prior to said hearing, the City Clerk is hereby directed to post notices in accordance with RCW 35.79.020.

If fifty percent (50%) of the abutting property owners file written objection to said proposed vacation with the City Clerk prior to the above hearing date, the City shall not hold said public hearing.


Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and affirmed.

Section 4. Severability. The provisions of this Resolution are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this Resolution or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the Resolution, or the validity of its application to other persons or circumstances.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption and signature as provided by law.

RESOLVED this fourth (4th) day of March, 2014.

CITY OF TUMWATER



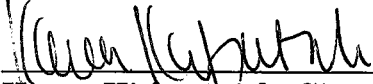
Pete Kmet, Mayor

ATTEST:



Melody Valiant, City Clerk

APPROVED AS TO FORM:



Karen Kirkpatrick, City Attorney

Resolution No. R2014-007
Exhibit "A"

PETITION FOR VACATION

JANUARY 22, 2014

WE THE UNDERSIGNED, DO HEREBY PETITION THE CITY OF TUMWATER FOR VACATION OF THE FOLLOWING PROPERTY:

SB HOTELS LEGAL DESCRIPTION

Lot 2 of Bellatorre Binding Site Plan, City of Tumwater Binding Site Plan No. 12-0034-TW, as recorded February 9, 2012 under Auditor's File No. 4250623, Records of Thurston County, Washington.

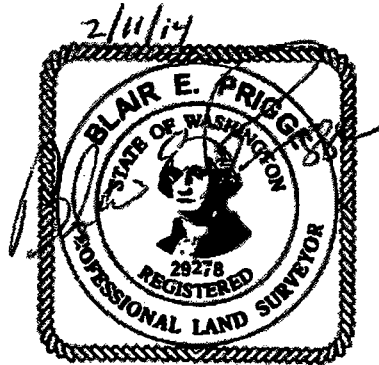
VACATION REQUEST LEGAL DESCRIPTION

Any and all portions of streets and alleys lying within and or adjacent to Blocks 7 and 8 of B.W. Johns 1st Addition to Tumwater as recorded in Volume 6 of Plats at Page 21, and lying within Lot 2 of Bellatorre Binding Site Plan, City of Tumwater Binding Site Plan No. 12-0034-TW, as recorded February 9, 2012 under Auditor's File No. 4250623, all Records of Thurston County, Washington. Containing 12,276 Square Feet, more or less.

The attached SB Hotels Vacation Exhibit graphically depicts the area being vacated.

Legal Description Prepared by:

Blair E. Prigge, PLS
MTN2COAST, LLC
01/22/2014



Vacation Request Submitted by:

B.K. Sohal

SB Hotels

02/12/14

Date:

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Exhibit "B"

